

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

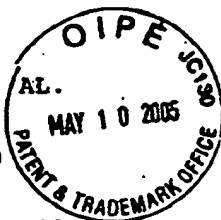
IN RE APPLICATION

OF: HANTKE ET AL.

SERIAL NO. 10/088,400

FILED: JULY 22, 2002

FOR: RATE-CONTROLLED PARTICLES



CONFIRMATION No.: 2952

GROUP ART UNIT: 1617

EXAMINER: SHENGJUN WANG

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents and Trademarks, Alexandria, VA 22313-1450, on:

May 06, 2005

Date of Deposit Sabine Berg

Person Making Deposit

Signature

S. Berg

Honorable Commissioner
for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY UNDER 37 C.F.R. §1.111

Sir:

In reply to the Office action of January 06, 2005, it is respectfully requested that the following remarks and the attached amendments¹⁾ be entered and considered for further prosecution of the above-identified application:

R E M A R K S

Claims 1, 2 and 4 to 25 as set forth in Appendix I of this paper are now pending in this case. Claim 3 has been canceled, Claims 1 and 4 have been amended, and Claims 16 to 25 have been added as indicated in the listing of the claims.

Accordingly, applicants have revised Claim 1 so that the requirements previously specified in the last three lines of the claim are now set forth at the outset. Additionally the provisions of Claim 3

1) Cf. the Claim Amendments set forth in Appendix I on pages 7 to 20 of this paper.

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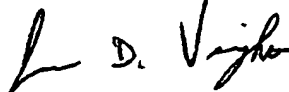
In light of the foregoing, the Examiner's position that applicants' invention is rendered prima facie obvious within the meaning of Section 103(a) by the teaching of *Andries et al.* when taken in view of the disclosures of the referenced secondary art is not deemed to be well taken. Favorable reconsideration of the Examiner's position and withdrawal of the respective rejection is, therefore, respectfully solicited.

REQUEST FOR EXTENSION OF TIME:

It is respectfully requested that a one month extension of time be granted in this case. The respective \$120.00 fee is paid by credit card (Form PTO-2038 enclosed).

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 14.1437. Please credit any excess fees to such deposit account.

Respectfully submitted,
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Encl.: CLAIM AMENDMENTS (Appendix II)

JDV/BAS